

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
Judge Philip A. Brimmer

Civil Action No. 09-cv-01676-PAB

FRANK VIGIL, JR.,

Plaintiff,

v.

SUSAN J. JONES, C.S.P. Warden,  
M. N. MCCORMICK, #5662, H.S.M. Supervisor,  
M. HILDEBRAND, #2307, Programs Manager,  
ANTHONY A. DECESARO, Grievance Officer,  
DARRYL PROFFIT, Faith & Citizen's Programs Regional Coordinator, and  
COLORADO DEPARTMENT OF CORRECTIONS (C.D.O.C.),

Defendants.

**FILED**  
UNITED STATES DISTRICT COURT  
DENVER, COLORADO

OCT -6 2009

GREGORY C. LANGHAM  
CLERK

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**ORDER GRANTING SERVICE BY UNITED STATES MARSHAL**

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THIS CAUSE came before the Court on the affidavit in support of the motion for leave to proceed without prepayment of fees or security pursuant to 28 U.S.C. § 1915.

The Court has granted the plaintiff leave to proceed *in forma pauperis*. It now is

ORDERED that, if appropriate, the United States Marshal shall attempt to obtain a waiver of service from the defendants. If unable to do so, the United States Marshal shall serve a copy of the complaint, summons, order granting leave to proceed pursuant to 28 U.S.C. § 1915, and all other orders upon the defendants. All costs of service shall be advanced by the United States. It is further

ORDERED that the defendants or counsel for the defendants shall respond to the complaint as provided for in the Federal Rules of Civil Procedure after service of process on the defendants.

DATED October 5, 2009.

BY THE COURT:

s/Philip A. Brimmer \_\_\_\_\_  
PHILIP A. BRIMMER  
United States District Judge

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

**CERTIFICATE OF MAILING**

Civil Action No. 09-cv-01676-PAB-KLM

Frank Vigil, Jr.  
Prisoner No. 96232  
Centennial Correctional Facility  
PO Box 600  
Cañon City, CO 81215- 0600


Susan J. Jones, M.N. McCormick, M. Hildebrand,  
Anthony A. Decesaro, Darryl Proffit, and  
Colorado Department of Corrections – **WAIVER\***  
c/o Cathie Holst  
Colorado Department of Corrections  
Office of Legal Affairs  
**DELIVERED ELECTRONICALLY**

John Suthers, Attorney General  
Office of the Attorney General  
**DELIVERED ELECTRONICALLY**  
**COURTESY COPY**

Paul Sanzo, Asst. Attorney General  
Office of the Attorney General  
**DELIVERED ELECTRONICALLY**  
**COURTESY COPY**

I hereby certify that I have mailed a copy of the ORDER to the above-named individuals, and the following forms to Cathie Holst for service of process on Susan J. Jones, M.N. McCormick, M. Hildebrand, Anthony A. Decesaro, Darryl Proffit, and Colorado Department of Corrections: AMENDED COMPLAINT FILED 09/23/09, SUMMONS, WAIVER\*, AND NOTICE OF AVAILABILITY OF MAGISTRATE JUDGE on 10/6/09.

GREGORY C. LANGHAM, CLERK

By:   
Deputy Clerk